

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

EUGENE SCALIA, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR, PLAINTIFF, v. JANI-KING OF OKLAHOMA, INC., a foreign corporation, DEFENDANT.	Civil Action No. 5:16-CV-1133-G
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**APPENDIX OF EXHIBITS TO PLAINTIFF’S MOTION TO
EXCLUDE REPORTS AND TESTIMONY OF DEFENDANT’S
DESIGNATED EXPERT AND BRIEF IN SUPPORT**

Exhibit 1 is a true and correct copy of the deposition transcript of Michael H. Seid dated December 18, 2019 (condensed version), with exhibits: **Seid 1** – is a true and correct copy of Michael H. Seid’s curriculum vitae; **Seid 2** – is a true and correct copy of the Expert Report of Michael H. Seid.

Exhibit 2 includes true and correct copies of excerpts from Declarations of Michael H. Seid filed in Giovanni v. Jani-King of Boston, Inc., et al., Case No. 07-cv-10066-RCL (D. Mass).

Exhibit 3 is a true and correct copy of the Declaration of Michael H. Seid filed in Myers v. Jani-King of Philadelphia, Inc., Case No. 2:09-cv-01738-RBS (E.D. Penn.).

Exhibit 4 includes true and correct copies of excerpts from Declarations of Michael H. Seid filed in Juarez v. Jani-King of California, Inc., et al., Case No.

4:09-cv-03495-YGR (N.D. Cal.).

Exhibit 5 includes true and correct copies of the summary judgment Order and Transcript of the summary judgment ruling in Giovanni, Case No. 07-cv-10066-MLW (D. Mass June 6, 2012).

Exhibit 6 is a true and correct copy of the Memorandum order approving the settlement in Myers, Case No. 2:09-cv-01738-RBS (E.D. Penn. May 10, 2019).

Exhibit 7 is a true and correct copy of Plaintiff's Notice of Motion to Exclude the Testimony of Michael H. Seid filed in Juarez, Case No. 4:09-cv-03495-YGR (N.D. Cal. July 11, 2019).

Exhibit 8 is a true and correct copy of the Management and Operations Agreement between Global Gaming JK, LLC and KOC Franchise Management, LLC dated March 6, 2018. Defendant designated this document as Confidential and it is filed under seal.

Exhibit 9 is a true and correct copy of the Global Gaming JK, LLC Franchise Report for the month of May 2019. Defendant designated this document as Confidential and it is filed under seal.

Exhibit 10 are true and correct copies of excerpts from the Global Gaming JK, LLC Franchise Agreement dated March 6, 2018. Defendant designated this document as Confidential and it is filed under seal.

Exhibit 11 includes true and correct copies of the In House Franchisee Report for the month of May 2019 and Defendant's response to Interrogatory No.

2 included in its Third Supplemental Response to the Secretary's First Set of Interrogatories. Defendant designated these documents as Confidential and they are filed under seal.

Exhibit 12 includes true and correct copies of excerpts from Defendant's Franchise Disclosure Document Item 20.

Respectfully submitted,

Kate S. O'Scannlain, Solicitor of Labor
John Rainwater, Regional Solicitor
Timothy S. Williams, Acting Associate Regional Solicitor
Lydia Tzagoloff, Counsel for Wage Hour Division

/s/Tyler P. McLeod
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CERTIFICATE OF SERVICE

Service of the foregoing Appendix of Exhibits has been made this 24th day of February, 2020, by e-filing to the following:

Carrie Hoffman
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/s/Tyler P. McLeod